

CITY COUNCIL MINUTES
July 11, 2011
REGULAR SESSION

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, July 11, 2011 at 6:00 p.m. with Mayor Kirby presiding and City Clerk Joseph G.R. Labrie recording the minutes.

CALL TO ORDER

ROLL CALL:

Council Members Present: Bridget Powers, Kevin Hanley, J. M. Holmes, Keith Nesbitt, Bill Kirby

Council Members Absent: None

Staff Members Present: City Manager Robert Richardson, Assistant City Attorney Michael Cobden, Fire Chief Mark D'Ambrogi, Administrative Services Director Andy Heath.

By **MOTION** adjourn to a Closed Session under Government Code Section 54957.6:

MOTION: Nesbitt/ Holmes/ Unanimously approved by voice

Initiation of Litigation: (G.C. 54956.9(c))

(Number of Potential Cases): 1

REPORT OUT OF CLOSED SESSION

No reportable action.

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

The agenda was approved as presented by consensus of the Council.

CONSENT CALENDAR

1. **Minutes**

By **MOTION** approve City Council Minutes of June 13, 2011.

2. **Falcons Point Lift Station – Notice of Completion**

By **RESOLUTION 11-79** authorize the recording of a Notice of Completion for the Falcons Point Lift Station Project.

3. **Citywide Audit and Financial Statement Preparation – Fiscal Year Ended June 30, 2011.**

By **RESOLUTION 11-80** authorize the City Manager or his designee to execute an agreement with Smith & Newell, CPA's to conduct an audit and prepare financial statements for the City of Auburn as of and for the year ended June 30, 2011 in an amount not to exceed \$42,023.

***** End of Consent Calendar *****

By MOTION approve the consent calendar.

MOTION: Nesbitt/ Powers/ Approved 5:0

4. **Public Comment**

Council Member Nesbitt said he would like the Public Works staff to explore the possibilities for creation of renewable energy at the Wastewater Treatment Plant.

Council Member Holmes acknowledged Council Member Hanley and all of those involved in the successful "Project Canyon Safe" last weekend.

Council Member Holmes discussed the efficiency of the Auburn Fire Department when comparing cost per call-out with neighboring communities.

PUBLIC HEARING

5. **Weed Abatement – Declare Public Nuisance**

Council Member Hanley and Council Member Nesbitt recused themselves from this item due to the proximity of their homes to addresses on exhibit A.

Fire Chief Mark D'Ambrogi presented this item. He said this process is to present the list of parcels that have been contacted to abate their weeds and have not done so. He said they will be now notified the property has been declared a "public nuisance" and a public hearing will be held to hear from the property owners July 25, 2011.

Council Member Holmes asked how long the property owners had to comply.

Mayor Kirby asked about starting the process on these properties earlier in the fire season. He also asked how many of the properties were previously abated.

Hold a public hearing, and by **RESOLUTION 11-81** declare Public Nuisance of certain properties within the City of Auburn indentified as containing weeds, rubbish, and or debris, as listed in Exhibit "A".

MOTION: Powers/ Holmes/ Approved 3:0 (Nesbitt/ Hanley recused from item)

REPORTS

6. **City Council Committee Reports**

Council Member Powers reported that the Auburn Business Park Association is holding a meeting July 13th in which City Manager Bob Richardson will be making a presentation.

Council Member Hanley reported on "Project Canyon Safe" held last weekend. He said Recology had 45 employees that volunteered at this event. He said there was a total of 118 volunteers, including the California Conservation Core. He said Bushwackers and Brush Busters both brought chippers to the event. He recognized all the volunteers who came together to make this project successful.

Council Member Nesbitt reported on the ARD Mitigation fees. He also reported on the Placer County Transportation Planning Agency (PCTPA) short range transportation plan.

Council Member Holmes reported the Placer County Air Pollution Control District office will be holding an open house at the new location, 110 Maple Street, July 20th, 4-6 p.m.

Council Member Holmes reported on the Chamber of Commerce Power Breakfast to be held at the Holiday Inn at 7am, July 15th. He said City Manager Bob Richardson will be making a presentation.

Council Member Holmes reported that the House of Representatives is voting on a bill that could affect funding for the local recreation area.

Council Member Holmes reported on progress of the construction on the Old Town Fire House.

Mayor Kirby congratulated Council Member Hanley on the successful Project Canyon Safe Event.

Mayor Kirby reported on the upcoming Auburn Movie Night.

COUNCIL BUSINESS

7. Support for Auburn State Recreation Area

Council Member Holmes presented this item. He said with authorization to use these funds, the burden would be off the Bureau of Reclamation (BOR) for fuel management and other areas.

Council Member Hanley asked about the use of funds referenced in the proposed draft letter.

Council Member Holmes said the BOR local office has suggested this is the way to get additional funding for fire suppression and fuel management.

Mayor Kirby commented on the Cal Fire in the state budget and its effects on the county residents.

By **RESOLUTION 11-82** support Bureau of Reclamation's use of Department of the Interior Wildland Fire Management Funds.

MOTION: Hanley/ Powers/ Approved 5:0

8. Sections 303-305 of the Proposed Home Rule for Auburn Charter of 2012

Assistant City Attorney Michael Cobden presented this item. He said the City Attorney's office reviewed the draft charter and provided observations on sections 303, 304 and 305. He reviewed section 305 which would give the city more flexibility in dealing with coordination of volunteers with projects that are "municipal affairs", section 303 dealing with prevailing wage, and section 304 in regarding to local bid preference.

Council Member questions followed: (1) potential cost savings in regards to prevailing wage and local bids, (2) the California Supreme Court decision on charter cities and prevailing wage law, (3) local bid preference on construction projects, (4) local bid preference decided by ordinance under a charter, (5) local bid preference in a general law city, and (6) volunteer work on federal and state lands.

Public Comment in opposition of a charter city:

Dan Kern, resident of Loomis, spoke about the importance of prevailing wages.

Robert Jacobson, resident of Auburn, spoke about the City of Bell as a charter city and the importance of prevailing wages in the construction industry.

Ron Daniel, resident of Auburn, spoke in favor of prevailing wages and the positive effects on workers' families.

Robert Williams, resident of Weimar, spoke in favor of prevailing wages.

Todd Faciana, resident of Auburn, spoke in favor of prevailing wages and the quality of life for workers in Auburn.

Ron McKeown, resident of Auburn said a charter is "not good for Auburn."

Jenny Smith, resident of Auburn, spoke about the volunteer labor bills.

Debora Faciana, resident of Auburn, spoke about union employees and prevailing wages.

Robert Hane, resident of Auburn, spoke about the benefits of prevailing wages.

Dennis Kennedy, resident of Auburn, spoke in favor of prevailing wages.

Dennis Dean, resident of Sacramento, spoke about risks of avoiding prevailing wages and equated a prevailing wage with "a living family wage".

Council Member comments followed: (1) "local control and local choice," (2) effect on rate payers, (3) public works staff's ability to monitor projects, (4) local bid preference, (5) "exemption for volunteers" bill, (6) perceived urgency of adopting a charter, (7) lack of support from the public, (8) potential cost savings, (9) study incentives for local bid preferences, (10) definition of prevailing wage, what it means, and what it might mean in the future, and (11) protecting volunteerism.

ADJOURNMENT

Mayor Kirby adjourned the meeting, without objection, at 7:51 p.m.

William W. Kirby, M.D., Mayor

Joseph G. R. Labrie, City Clerk

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